

CLOSED,EXP

**U.S. District Court
DISTRICT OF ARIZONA (Tucson Division)
CIVIL DOCKET FOR CASE #: 4:18-cv-00340-JGZ**

Center for Biological Diversity v. United States Forest Service
Assigned to: Judge Jennifer G Zipps
Cause: 05:552 Freedom of Information Act

Date Filed: 07/10/2018
Date Terminated: 04/17/2019
Jury Demand: None
Nature of Suit: 895 Other Statutes:
Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Center for Biological Diversity**

represented by **Marc D Fink**
Center for Biological Diversity
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**United States Forest Service**

represented by **J Cole Hernandez**
US Attorneys Office – Tucson, AZ
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Date Filed	#	Docket Text
07/10/2018	<u>1</u>	COMPLAINT. Filing fee received: \$ 400.00, receipt number 0970-15708193 filed by Center for Biological Diversity. (Fink, Marc) (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Certificate)(KEP) (Entered: 07/10/2018)
07/10/2018	<u>2</u>	Corporate Disclosure Statement by Center for Biological Diversity. (Fink, Marc) (KEP) (Entered: 07/10/2018)
07/10/2018	<u>3</u>	SUMMONS Submitted by Center for Biological Diversity. (Fink, Marc) (KEP) (Entered: 07/10/2018)
07/10/2018	<u>4</u>	Filing fee paid, receipt number 0970-15708193. This case has been assigned to the Honorable Jennifer G Zipps. All future pleadings or documents should bear the correct case number: CV-18-340-TUC-JGZ. Notice of Availability of Magistrate Judge to Exercise Jurisdiction form attached. (KEP) (Entered: 07/10/2018)
07/10/2018	<u>5</u>	Summons Issued as to United States Forest Service. (KEP). *** IMPORTANT: When printing the summons, select "Document and stamps" or "Document and comments" for the seal to appear on the document. (Entered: 07/10/2018)
07/11/2018		Remark: Pro hac vice motion granted for Marc D Fink on behalf of plaintiff. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 07/11/2018)
07/12/2018	<u>6</u>	SCHEDULING ORDER (FOIA): The Clerk of the Court assigned this case to the expedited track pursuant to the Local Rules of Practice for this Court, LRCiv

		16.2(b)(1)(A)(i). IT IS ORDERED that defendant shall serve an answer or otherwise plead within thirty (30) days after service, unless the Court otherwise directs for good cause shown. Signed by Judge Jennifer G Zipps on 7/12/2018. (BAR) (Entered: 07/12/2018)
07/17/2018	<u>7</u>	NOTICE re: Certificate of Service by Center for Biological Diversity re: <u>6</u> Order <i>Served on Defendants</i> . (Fink, Marc) (Entered: 07/17/2018)
07/31/2018	<u>8</u>	SERVICE EXECUTED filed by Center for Biological Diversity: Proof of Service re: complaint, summons, civil case cover sheet, corporate disclosure statement, pro hac vice application, scheduling order, notice of availability of magistrate upon United States Forest Service, U.S. Attorney General, U.S. Attorney for District of Arizona on U.S. Forest Service 7/18/18; U.S. Attorney's Office for AZ 7/16/18; U.S. Attorney General 7/16/18. (Fink, Marc) (Entered: 07/31/2018)
08/09/2018	<u>9</u>	STIPULATION FOR EXTENSION OF TIME TO ANSWER COMPLAINT re: <u>1</u> Complaint by United States Forest Service. (Attachments: # <u>1</u> Text of Proposed Order)(Hernandez, J) (Entered: 08/09/2018)
08/10/2018	<u>10</u>	ORDER granting <u>9</u> Stipulation For Extension of Time To Answer Complaint : United States Forest Service answer due 9/14/2018. Signed by Judge Jennifer G Zipps on 8/10/2018. (BAR) (Entered: 08/10/2018)
09/11/2018	<u>11</u>	STIPULATION FOR EXTENSION OF TIME TO ANSWER COMPLAINT re: <u>1</u> Complaint (<i>Second Request</i>) by United States Forest Service. (Attachments: # <u>1</u> Text of Proposed Order)(Hernandez, J) (Entered: 09/11/2018)
09/18/2018	<u>12</u>	ORDER granting <u>11</u> Stipulation For Extension of Time To Answer Complaint : United States Forest Service answer due 10/14/2018. Signed by Judge Jennifer G Zipps on 9/17/2018. (BAR) (Entered: 09/18/2018)
10/10/2018	<u>13</u>	STIPULATION FOR EXTENSION OF TIME TO ANSWER COMPLAINT re: <u>1</u> Complaint by United States Forest Service. (Attachments: # <u>1</u> Text of Proposed Order)(Hernandez, J) (Entered: 10/10/2018)
10/11/2018	<u>14</u>	ORDER granting <u>13</u> Stipulation For Extension of Time To Answer Complaint : United States Forest Service answer due 11/14/2018. Signed by Judge Jennifer G Zipps on 10/10/2018. (BAR) (Entered: 10/11/2018)
11/09/2018	<u>15</u>	STIPULATION to Stay Deadline to Answer or Otherwise Plead for 60 Days to Enable Parties to Attempt to Resolve Issue of Attorney's Fees and Costs by United States Forest Service. (Attachments: # <u>1</u> Text of Proposed Order)(Hernandez, J) (Entered: 11/09/2018)
11/14/2018	<u>16</u>	ORDER granting <u>15</u> Stipulation to Stay Deadline to Answer or Otherwise Plead for 60 Days to Enable Parties to Attempt to Resolve Issue of Attorney's Fees and Costs. If the parties are unable to resolve the issue of attorney's fees and costs by 1/14/2019, Defendant United States Forest Service shall file an answer by 1/28/2019. Signed by Judge Jennifer G Zipps on 11/13/2018. (BAR) (Entered: 11/14/2018)
12/26/2018	<u>17</u>	MOTION to Stay <i>Motion for Stay of Case Due to Federal Government Shutdown</i> by United States Forest Service. (Attachments: # <u>1</u> Text of Proposed Order)(Hernandez, J) (Entered: 12/26/2018)
01/11/2019	<u>18</u>	ORDER granting <u>17</u> Motion to Stay Case Due to Federal Government Shutdown. Further ordered that counsel for the United States shall file a notice of resumed government activity within 5 business days of the U.S. Department of Justice being funded and counsels return to work. Signed by Judge Jennifer G Zipps on 1/10/2019. (BAR) (Entered: 01/11/2019)
02/04/2019	<u>19</u>	NOTICE re: Resumed Government Activity by United States Forest Service . (Hernandez, J) (Entered: 02/04/2019)
02/06/2019	<u>20</u>	ORDER re: <u>19</u> Notice of Resumed Government Activity, it is ordered that the stay of this matter is lifted. Signed by Judge Jennifer G Zipps on 2/5/2019. (BAR) (Entered: 02/06/2019)

02/12/2019	<u>21</u>	STIPULATION <i>Regarding Proposed Scheduling Order for Remainder of Litigation</i> by United States Forest Service. (Attachments: # <u>1</u> Text of Proposed Order)(Hernandez, J) (Entered: 02/12/2019)
02/13/2019	<u>22</u>	ORDER pursuant to <u>21</u> Stipulation <i>Regarding Proposed Scheduling Order for Remainder of Litigation</i> . It is Ordered parties shall have until 3/15/2019, to resolve the fess and costs issue. If the parties are unable to resolve the issue by 3/15/2019, Defendant shall file an answer or otherwise plead by 3/22/2019 (see attached Order for complete details). Signed by Judge Jennifer G Zipps on 2/13/2019. (MFR) (Entered: 02/13/2019)
03/05/2019	<u>23</u>	NOTICE of Settlement by United States Forest Service. (Hernandez, J) (Entered: 03/05/2019)
03/13/2019	<u>24</u>	ORDER re: <u>23</u> Notice of Settlement, it is ordered that the parties shall file a stipulation and form of order for dismissal on or before April 26, 2019. Signed by Judge Jennifer G Zipps on 3/13/2019. (BAR) (Entered: 03/13/2019)
04/16/2019	<u>25</u>	STIPULATION of Dismissal by United States Forest Service. (Attachments: # <u>1</u> Text of Proposed Order)(Hernandez, J) (Entered: 04/16/2019)
04/17/2019	<u>26</u>	ORDER granting <u>25</u> Stipulation of Dismissal with Prejudice. All claims in this action are dismissed with prejudice. Defendant will bear its own costs, fees, and expenses. Any and all attorneys fees, costs and expenses incurred by the Plaintiff will be paid out of the settlement amount and not in addition thereto. Signed by Judge Jennifer G Zipps on 4/16/2019. (BAR) (Entered: 04/17/2019)